



1 of 4

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S) : Paul D. Stephens, et al.

TITLE : VACUUM CLEANER WITH  
NOISE SUPPRESSION  
FEATURES

APPLICATION NO. : 10/751,077

FILED : December 30, 2003

CONFIRMATION NO. : 1258

EXAMINER : Till, Terrence R.

ART UNIT : 1744

LAST OFFICE ACTION : September 21, 2005

ATTORNEY DOCKET NO. : RYLZ 2 00745-1-1

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION (37 CFR 1.321(b))**

Dear Sir:

**Identification Of Person(s) Making This Disclaimer**

Name of Disclaimant: Jay F. Moldovanyi  
Address of Disclaimant: Fay, Sharpe, Fagan, Minnich & McKee, LLP  
1100 Superior Avenue, Seventh Floor  
Cleveland, Ohio 44114,

I represent that I am authorized to sign on behalf of assignee identified below.

**Identity of Assignee and Title of Disclaimant**

Name of Assignee: Royal Appliance Mfg. Co.  
Address of Assignee: 7005 Cochran Road,  
Glenwillow, OH 44139

Title of Disclaimant:       Registered Attorney for Assignee  
                                    authorized to sign on behalf of Assignee

**Recordal of Assignment in PTO**

The assignment was recorded on April 26, 2001 at Reel 011759 Frame 0526.

**Extent of Interest**

The extent of our interest is in the whole of the invention. I state that the relevant evidentiary documents have been reviewed, and certify that to the best of my knowledge and belief, title is in the assignee taking this action.

**Disclaimer**

I hereby disclaim the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of:

United States Patent No. 6,948,211  
United States Patent No. 6,341,404  
United States Patent No. 6,436,160

I hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to:

United States Patent No. 6,948,211  
United States Patent No. 6,341,404  
United States Patent No. 6,436,160

This agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of a full statutory term of:

United States Patent No. 6,948,211  
United States Patent No. 6,341,404  
United States Patent No. 6,436,160

In the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer except for the separation of legal title stated above.

**Fee Status**

(37 CFR 1.20(d) and 37 CFR 1.321)

- ☒ other than a small entity - fee \$ 130.00  
☐ small entity - fee \$ 65.00

**FEE PAYMENT**

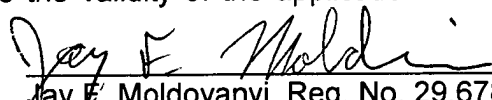
☐ Attached is a check in the amount of \$130.00

☒ Charge Credit Card No. [REDACTED] 1771 the sum of \$120.00. A duplicate copy of this paper is attached.

☒ Charge Deposit Account No. 06-0308 for any fee deficiency required by the USPTO. A copy of this paper is attached.

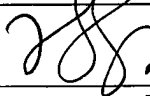
☒ Credit Deposit Account No. 06-0308 the sum of any overpayment. A duplicate copy of this paper is attached.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
Jay F. Moldovanyi, Reg. No. 29,678  
Ann M. Skerry, Reg. No. 45,655  
Fay, Sharpe, Fagan, Minnich & McKee  
1100 Superior Avenue, Seventh Floor  
Cleveland, OH 44114  
216/861-5582

Under 37 C.F.R. § 1.8, I certify that this Paper is being

- ☐ deposited with the United States Postal Service as First Class mail, addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
- ☐ transmitted via facsimile in accordance with 37 C.F.R. § 1.8 on the date indicated below.
- ☒ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10, addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

<b>Express Mail Label No.:</b> EV 702957354 US	 <b>Signature</b>
<b>Date</b> January <u>16</u> , 2006	<b>Printed Name</b> Theresa L. Lucas